

REMARKS

The applicants have studied the Restriction Requirement dated November 26, 2002, and have made amendments to the claims. It is submitted that the application, as amended, is in condition for allowance. By virtue of this amendment, claims 6, 25-33, 37, 41-57, and 61-67 have been withdrawn from consideration without prejudice or disclaimer; thus, claims 1-5, 7-24, 34-36, 38-40, and 58-60 are pending. Consideration and allowance of all the pending claims in view of the above amendments and the following remarks are respectfully requested.

The applicants elect the invention of Group I, Species D shown in Figs. 19-20b, and defined by claims 1-5, 7-24, 34-36, 38-40, and 58-60, which read on the embodiments illustrated in Figs. 19-20b. However, as part of the traverse, applicants also request inclusion of the species shown in Figs. 21a-22b, 24a-24b, 27a-27b, and 29a-29b in the election, as these species are not patentably distinct from the species shown in Figs. 19-20b. The applicants respectfully submit that elected claims 1, 34, 38, and 58 are generic to the embodiments shown in Figs. 19-22b, 24a-24b, 27a-27b, and 29a-29b. In the illustrated embodiments, the piston includes a first piston member and a second insert member, as defined by claims 1 and 34. The insert also includes one or more holes or passages through the insert from the first side to the second side of the insert to permit admittance of a sterilization agent to the first side of the insert, as defined by claims 38 and 58. If the requested inclusion is not allowed by the Examiner, the applicants recognize that, upon the allowance of a generic claim, the applicants will be entitled to consideration of claims to additional species, which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR § 1.141.

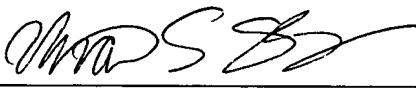
Claims 25-33, 37, and 48-57 are withdrawn as being directed to the non-elected invention of Group II. Claims 6, 41-57, and 61-67 are also withdrawn as being directed to non-elected species shown in Figs. 11, 12, 14-17, 18, 23a-23b, 25a-26b, 28a-28b, and 30a-31b. The applicants expressly reserve the right to file a divisional application directed to this subject matter at a later date.

In view of the foregoing, it is respectfully submitted that the application and all of the elected claims are in condition for allowance. Examination and consideration of the application, as amended, are requested.

If, for any reason, the Examiner finds that the application is other than in condition for allowance and believes that a telephone interview would advance the prosecution of the application, the Examiner is invited to call the undersigned attorney at (818) 576-5291.

Respectfully submitted,

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